

A RESOLUTION BY CITY UTILITIES COMMITTEE

01-R-0182

**A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE AN AGREEMENT WITH THE NORFOLK
SOUTHERN RAILWAY COMPANY FOR THE
INSTALLATION, MAINTENANCE, OPERATION AND
REMOVAL BY THE CITY OF A WASTEWATER
PIPELINE ON RAILWAY PROPERTY**

BACKGROUND

WHEREAS, the City of Atlanta ("City") proposes to install, maintain, operate and remove a 9-inch wastewater pipeline in a 20-inch casing pipe, under and across the right of way or property and any tracks of Norfolk Southern Railway Company ("Railway"), at Milepost 635, plus 2,633 feet in Atlanta, Fulton County, Georgia, to be located with any ancillary appurtenances;

WHEREAS, Railway has indicated its willingness to allow the City to install, maintain, operate and remove the pipe and appurtenances pursuant the terms and conditions of the Agreement (or an agreement containing substantially the same terms and conditions)("Agreement") attached to this legislation as Exhibit 1;

WHEREAS, the City has reviewed the Agreement and is willing to enter into this transaction based upon the terms and conditions contained within the Agreement (or an agreement containing substantially the same terms and conditions);

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be, and is hereby, authorized to enter into the Agreement (or an agreement containing substantially the same terms and conditions) with Norfolk Southern Railway Company.

IT IS FURTHER RESOLVED, that the City Attorney is directed to finalize with Railway, or its representatives, the Agreement, for execution by the Mayor, to be approved by the City Attorney as to form.

IT IS FURTHER RESOLVED, that the Agreement will not become binding upon the City and the City will incur no liability under it until the Mayor has executed it, it has been attested to by the Municipal Clerk, and delivered to Railway.

EXHIBIT 1

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon
(for review & distribution to Executive Management)

Commissioner Signature Rumedia K. del Rosario

From: Originating Dept. Water Contact (names) Lee Hunt, Civil Chief Engineer
404-658-7273

Committee(s) of Purview: CUC Committee Deadline: _____

Committee Meeting Date(s) _____ City Council Meeting Date: _____

CAPTION: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NORFOLK SOUTHERN RAILWAY COMPANY FOR THE INSTALLATION, MAINTENANCE, OPERATION AND REMOVAL BY THE CITY OF A WASTEWATER PIPELINE ON RAILWAY PROPERTY.

BACKGROUND/PURPOSE/DISCUSSION: THE CITY OF ATLANTA PROPOSES TO INSTALL, MAINTAIN, OPERATE AND REMOVE A 9-inch WASTEWATER PIPELINE IN A 20-inch CASING PIPE, UNDER AND ACROSS THE RIGHT OF WAY OR PROPERTY AND ANY TRACKS OF NORFOLK SOUTHERN RAILWAY COMPANY, AT MILEPOST 635, PLUS 2,633 FEET IN ATLANTA, FULTON COUNTY, GEORGIA, TO BE LOCATED WITH ANY ANCILLARY APPURTENANCES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by Mayor's Office: 1/26/01 Reviewed: JP
(date) (initials) (date)

Submitted to Council: _____
(Date)

Action by Committee: Approved Adversed Held Amended
Substitute Referred Other